



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

HD:hd

Docket No: 04930-99

12 November 1999

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: LT [REDACTED], NC, USNR, [REDACTED]  
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 29 Jul 99 w/attachments  
(2) CNO (N131M5) memo dtd 9 Apr 99  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show the lineal position, date of rank, and effective date in the grade of lieutenant he would have received, had he been promoted in due course consistent with his adjusted date of rank in the grade of lieutenant junior grade. He specifically requested a date of rank and effective date of 1 September 1998.

2. The Board, consisting of Messrs. McCulloch, Pfeiffer and Zsalman, reviewed Petitioner's allegations of error and injustice on 4 November 1999, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the Chief of Naval Operations (N131M5) office with cognizance over the subject matter of this case has commented to the effect that Petitioner's request has merit and warrants favorable action, specifically, changing his date of rank and effective date to 1 September 1998.

**CONCLUSION:**

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

**RECOMMENDATION:**


a. That Petitioner's naval record be corrected, where appropriate, to show his date of rank and effective date in the grade of lieutenant as 1 September 1998; and that his lineal precedence be adjusted accordingly.

b. That any material or entries inconsistent with the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

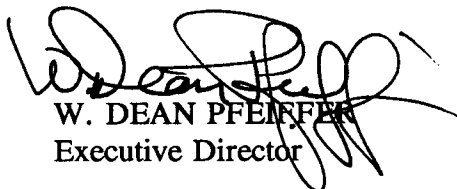
c. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
JONATHAN S. RUSKIN  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

  
W. DEAN PFEIFFER  
Executive Director

**MEMORANDUM****DATE:** 9 April 1999**FROM:** Nurse Corps Officer Community Manager (N131M5)**TO:** BCNR Coordinator (NPC/OOZB)**SUBJ: ADVISORY OPINION WITH REGARD TO FORMER  
TECHNICAL NURSE WARRANT OFFICER (TNWO) NURSE  
CORPS (NC) OFFICERS PROMOTED TO LIEUTENANT**

1. Enclosure (1) lists the former-TNWO NC officers who received new appointments to LTjg in July 1998 as a result of the retroactive award of constructive grade credit for military nursing experience gained while serving as a TNWO approved by SECNAV in February 1998.
2. Time in grade for promotion to LT is routinely two years. A LTjg, once selected for LT, would normally receive a DOR for LT of the first day of the month following their LTjg DOR two years later (except those whose LTjg DOR is on the first day of the month - their LT DOR would be the first of the same month two years later).
3. However, the earliest promotion date that may routinely be awarded as a result of selection by a promotion selection board is the date that the board results are released. Thus former-TNWO LTjgs selected by the FY00 or later LT promotion selection boards might not receive a DOR and effective date commensurate with their LTjg promotion dates.
4. Recommend that, once promoted to LT, you approve each listed officer's request to backdate DOR and effective date for LT to that indicated in Enclosure (1). If I can offer any further assistance please contact me at (703) 693 - 2326 (DSN 223 - 2326).

V/R,



CDR, NC, USN